

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY  
WASHINGTON BOROUGH COUNCIL MINUTES – February 05, 2013**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:00 P.M.

Mayor McDonald read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law, 1975, Chapter 231’ have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.”

Mayor McDonald led everyone in the flag salute.

Roll Call: Gleba, Torres, McDonald, Conry, Higgins, Thompson

Absent: Jewell

Also Present: Kristine Blanchard, Manager/Borough Clerk

**PROCLAMATION:**

Mayor McDonald read the following:

***PROCLAMATION  
OF THE  
BOROUGH OF WASHINGTON***

**WHEREAS**, a team of five members of the Washington Junior EMS Squad won first place in the Clinton First Aid & Rescue Squad’s “Regional Future Stars of EMS” competition on December 8, 2012; and

**WHEREAS**, the participants, Lisa Apgar, Darian Duffell, Alexandra Spinks, Raymond Sweet and Tim VanDeursen competed against six teams consisting of Junior Emergency medical squad members from Warren, Hunterdon, Somerset and Mercer counties; and

**WHEREAS**, the competition comprised of five different real-life scenarios: The first were medical stations involving allergic reactions and cardiac arrest; two trauma stations; and lastly, the competitors faced a mass casualty incident; and

**WHEREAS**, the Washington Borough Junior EMS Squad offers young members a unique opportunity to serve their community as well as developing them to become accomplished, self-sacrificing, and conscientious citizens; and

**NOW, THEREFORE, BE IT PROCLAIMED**, by Scott McDonald, Mayor of the Borough of Washington, in the County of Warren, State of New Jersey, that the heartfelt congratulations and appreciation of the Mayor and Council of the Borough of Washington and all its inhabitants are hereby expressed to the Washington Borough Junior EMS Squad and are recognized for countless hours of unselfish volunteer work in order to maintain the act of saving lives for families in the Borough of Washington and surrounding communities.

**BE IT FURTHER PROCLAIMED** that this Proclamation be duly embossed, signed by the Mayor, publicly presented to Washington Borough Junior EMS Squad on February 5th, and forever recorded in the official records of the Borough of Washington, as an everlasting tribute to the Washington Borough Junior EMS Squad by an appreciative and thankful community.

**CORRESPONDENCE:**

Jewish Center of Northwest Jersey – Rummage Sale Request

Motion made by Higgins, seconded by Gleba to receive and file the correspondence.

Ayes: 6, Nays: 0  
Motion Carried

Motion made by Higgins, seconded by Torres to allow the Jewish Center of Northwest Jersey to hold a rummage sale on Sunday, April 14, 2013 with a rain date of April 28, 2013.

Ayes: 6, Nays: 0  
Motion Carried

**MINUTES:**

**Regular Meeting Minutes – January 15, 2013 and Budget Meeting Minutes – January 12, 2013.**

Motion made by Gleba, seconded by Torres to approve the minutes of January 15, 2013 and January 12, 2013.

Councilwoman Gleba asked that her Council Remarks in the January 15<sup>th</sup> minutes reflect that she requested Council receive the Executive Session minutes.

Ayes: 6, Nays: 0  
Abstain: (1) Higgins (January 15, 2013)  
Motion Carried

**COUNCIL APPEARANCE:**

Mr. Gary Poherly – 115 Wayne Street

Mr. Poherly came before Council looking for support on a project consisting of planting trees and shrubs to improve both public and private properties in the Borough. Funding for this project would come from grants and or donations. There are two components to this proposal. There are publicly owned properties and privately owned as well. The first Borough owned property is the open space area by the Community Gardens. The other property is the large open space next to the soccer field located near Memorial School within the Washington Meadows Development. Mr. Poherly spoke with Superintendent Lance Rozsa to see if the students would like to be involved with the project as part of their curriculum. The idea is to improve these two properties to make them more attractive. The other part of the project involves aesthetic improvements to interested privately owned properties. Mr. Poherly spoke with Ms. Sandi Cerami from the Washington BID to get a list of some interested property owners. Mr. Poherly also works with a community service group, Students Against Vandalizing the Earth, from Warren Hills High School. Mr. Poherly stated that this is a local group that may be interested in helping with the project. Mr. Poherly also stated that he would need approval from Council to move forward with the project on the two publicly owned properties.

A motion was made by Gleba, seconded by Torres, to approve Mr. Poherly moving forward with the plans for the project he presented. Council requested that Mr. Poherly come back with more information in regards to the committee and more solid plans for the project. Mr. Poherly will return at the next Council meeting.

Ayes: 6, Nays: 0  
Motion Carried

Veolia Water – Larry Murphy, Area Manager for Veolia Water in NY/NJ

Mr. Murphy stated the he, along with Project Manager Mr. Kevin Shoudt, were here

today, to discuss some of the capital upgrades that were included as potential add-ons and the most recent contract. There were three capital projects identified. First, the headworks project which includes functionality and energy savings. Mr. Murphy stated that the headworks project has commenced, and they are getting ready to order the equipment and it will be installed early to mid-summer. The other two projects which will yield energy savings were put off for consideration. Those two projects include an underground asset management along with orbal and post aeration.

The underground assets proposal would digitize the 1990's collection system data so it's easily organized and accessed. The system would review videos of the manholes in the community and rank their results which would show if there is any leakage. The location and the inspections of the manholes would be organized into an InfoNet database.

The other project deals with energy conservation. Veolia has automation and control of the air blowers and the orbal oxygen system which will control the flow of oxygen in the water and therefore save electricity. The post aeration blower controls offer a more efficient blower and better control options.

After Council discussion on this matter it was decided to table the energy efficiency projects for now and Council would like Mr. Murphy to come back with numbers on the inspections only.

### **AUDIENCE:**

Mr. Joel Schnetzer – Cemetery Hill Road

Mr. Schnetzer states that he is not a Washington Borough resident, he is a resident of Washington Township. Mr. Schnetzer states that he is curious to know if the Borough is happy with the \$2.4 million payment every year to Washington Township for police coverage. Mr. Schnetzer stated he put in an OPRA request to get the police salary totals and the value was \$3.1 million. Mr. Schnetzer states that he is unhappy with the large size of the Washington Township Police Department and also with the amount of vehicles they own and continue to purchase.

Council Discussion:

Councilman Higgins asked Mr. Schnetzer if that \$3.1 million included the cost of benefits. Mr. Schnetzer was not sure but he would try to find out. Councilman Higgins stated that a lot of items are included in the contract such as salaries, benefits, vehicle operations and vehicle maintenance. Councilman Higgins stated he was interested in the information Mr. Schnetzer brought before Council and the Borough will look further into the matter.

Hearing no further comments from the audience a motion was made by Higgins, seconded by Torres, to close the audience portion of the meeting.

Ayes: 6, Nays: 0  
Motion Carried

**ORDINANCES:**

**Ordinance 1-2013 An Ordinance Amending Recreation Department Program Fees (Introduction)**

Motion made by Higgins seconded by Gleba to introduce Ordinance 1 – 2013 and have the Clerk read by title.

Roll Call: Gleba, Torres, McDonald, Conry, Higgins, Thompson  
Ayes: 6, Nays: 0  
Motion Carried

The Clerk read Ordinance 1-2013 An Ordinance Amending Recreation Department Program Fees.

**1-2013**  
**AN ORDINANCE AMENDING RECREATION**  
**DEPARTMENT PROGRAM FEES**  
**ADDING ADULT BASEBALL AND ADULT SOFTBALL**

**BE IT ORDAINED** by the Borough Council of the Borough of Washington, in the County of Warren, and State of New Jersey as follows:

**SECTION 1.** The Borough of Washington Recreation Department (“Recreation Department) is authorized to recommend fees for participation in its programs/events in accordance with the following schedule.

**SECTION 2.** The Recreation Director, or his/her designee, will schedule dates, times and locations for the following programs/events. The fee for participation in the program/event for each registrant shall be within the following parameters:

Recreation Program/Event		Minimum	Maximum
<b>Adult Baseball</b>	ALL	\$35	\$900
<b>Adult Softball</b>	ALL	\$35	\$900

**SECTION 3.** By no later than March first of each year the Recreation Director shall evaluate the costs and expenses for operating each Program/Event and make a recommendation to the Mayor and Council and Manager as to the amount to be charged for participation in the Program/Events presented by the Recreation Department, which shall be within the range of fees established by this ordinance. The Borough Council shall review the Recreation Program/Event Fee recommendations made by the Recreation Director in order to establish the current year Recreation Program Fee Schedule, which shall be adopted by the Mayor and Council via resolution annually.

**SECTION 4.** All ordinances and resolutions inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies.

**SECTION 5.** This ordinance shall take effect immediately after final passage, approval and publication of notice thereof as required by law.

Council Discussion:

Councilwoman Gleba asked Manager Blanchard to remind Recreation that it costs money to introduce a new ordinance every time they come up with a new program.

A motion was made by Gleba, seconded by Higgins to approve Ordinance 1-2013 on first reading.

Roll Call: Gleba, Torres, McDonald, Conry, Higgins, Thompson  
Ayes: 6, Nays: 0  
Motion Carried

Public Hearing of Ordinance 1-2013 An Ordinance Amending Recreation Department Program Fees will be on March 5, 2013 and advertisement of the Public Hearing will be in the Star Gazette on February 14, 2013.

A motion was made by Higgins, seconded by Gleba to approve advertisement of the Public Hearing of Ordinance 1-2013.

Roll Call: Gleba, Torres, McDonald, Conry, Higgins, Thompson  
Ayes: 6, Nays: 0  
Motion Carried

**REPORTS:**

A motion was made by Higgins, seconded by Gleba to receive and file the following reports:

1. Manager's Report
2. DPW Report
3. Washington Borough Fire Department Annual Report

Council Discussion:

Councilwoman Gleba stated that when new members are added to the Fire Department, they are added to the insurance policy. Councilwoman Gleba asked if someone checks the list to make sure that inactive members are taken off. Manager Blanchard stated that she goes through the list every year with the Fire Department and Rescue Squad.

Ayes: 6, Nays: 0  
Motion Carried

**COUNCIL COMMITTEE REPORTS:**

Shared Services Committee – Councilman Higgins stated that he and Councilman Torres met with the Township Representative for the Shared Services. Councilman Higgins stated that the Township is looking at different ways to save money on insurance. They have also leased two vehicles instead of purchasing them in order to save money as well. There are items they want added to the contract that will need to be discussed in Executive Session. Councilman Higgins stated that it was a little disappointing because information that was provided was not exactly what the Borough had asked for.

**NEW BUSINESS:**

Resolution #32-2013 – Renewal of Agreement with Pollution Control and Financing Authority – Bulky Waste

**RESOLUTION 32-2013**  
**OF THE MAYOR AND COUNCIL OF THE**  
**BOROUGH OF WASHINGTON, WARREN**  
**COUNTY, TO ENTER INTO AN INTERLOCAL**  
**AGREEMENT WITH POLLUTION CONTROL**  
**FINANCING AUTHORITY OF WARREN COUNTY**

**WHEREAS**, the Borough has participated in an inter-local agreement with the Pollution Control Financing Authority of Warren County, the “Authority” to dispose of the Borough’s bulky waste; and

**WHEREAS**, the Authority has offer to renew the Agreement for the year 2013 at a rate of \$71.00/ton; and

**WHEREAS**, the Borough finds that it is in its best interest to renew the Agreement for another year; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Mayor and Clerk are hereby authorized and directed to execute the Inter-local Agreement between the Borough and the Pollution Control Financing Authority of Warren County for the year 2013 for an amount not to exceed \$71.00/ton.

Resolution #32-2013 was moved on a motion made by Higgins, seconded by Gleba and approved.

Roll Call: Gleba, Torres, McDonald, Conry, Higgins, Thompson  
Ayes: 6, Nays: 0  
Motion Carried

**VOUCHERS:**

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$965,162.58

Motion made by Higgins, seconded by Gleba and approved.

Council Discussion:

Councilman Higgins questioned a charge on page 6 under Department of Public Works. Manager Blanchard stated that there are two spots on the bill list in error. First on page 3 there is a charge under telephone for book and advanced auto parts. That charge and the charge for JCP&L under DPW need to be moved. Council will be provided a new list once the changes are made. Manager Blanchard stated that the Finance Department is still getting acclimated to the new system.

Roll Call: Gleba, Torres, McDonald, Conry, Higgins, Thompson  
Ayes: 6, Nays: 0  
Abstain: Higgins – Fire Dept.

**MEETING RE-CAP:**

Manager Blanchard stated that she will follow up with Mr. Poyerly to see if he is prepared for February 19<sup>th</sup>. Manager Blanchard also stated she will get the solar agreement information as far as what the savings will be on the electricity. Manager Blanchard will provide copies of the liquidated damages stating that if Veolia can't provide the Borough with seventy five percent of our electricity that they would pay that. Also, Manager Blanchard will get the information from Veolia regarding their new proposal for March. Lastly, Manager Blanchard stated she will work with the Finance Department on tweaking the bill list.

**COUNCIL REMARKS:**

Mayor McDonald stated that there was an incident at Albea last week. Mayor McDonald stated that he had received a text from his daughter in high school that they were in lockdown. Mayor McDonald called Manager Blanchard and she wasn't aware of the situation yet. Mayor McDonald found out through the use of the scanner that there was potentially a shooter at the Albea site. Mayor McDonald and Manager Blanchard were in constant contact for the next hour or so figuring out what was going on and how they were going to handle it. Mayor McDonald instructed Manager Blanchard to inform the staff and all members of Council that if they were contacted by the media to defer all comments to the Washington Township Police Department. Manager Blanchard decided to lock the Washington Borough Municipal Building to ensure the staff's safety. The fire hall became a warming station for those Albea employees who were evacuated. Mayor McDonald expressed that he felt the Washington Township Police Department and the Warren County Prosecutor's Office handled the situation admirably. Mayor McDonald thanked Manager Blanchard, OEM Kurt Klausfelder, Rick Monus, and the Mayor's daughter and any others who helped set up and take down the tables and chairs in the fire hall and for all their assistance during that hectic situation.

Councilman Torres added that in addition to the discussion regarding the Washington Township Police Shared Services, he believes that part of the problem is the lack of good public relations. Councilman Torres went to the Express Times to meet with an editor and now, the Washington Township Police events will be posted in the press.

Councilman Higgins asked about the timing of Financial Disclosure Forms. Manager Blanchard says they need to be done online in March. Manager Blanchard also stated that the Borough's financial statements will be presented by CFO Turchan and herself.

At this time, Mayor McDonald stated that Council will enter into Executive Session after a ten minute break.

**EXECUTIVE SESSION:**

Resolution #33-2013 Executive Session Authorization

A motion was made by Higgins, seconded by Torres to go into Executive Session..

Ayes: 6, Nays: 0  
Motion Carried

**RESOLUTION # 33-2013**  
**RESOLUTION AUTHORIZING EXECUTIVE SESSION**

**WHEREAS**, the Open Public Meetings Act; *N.J.S.A.* 10:4-6 *et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

**WHEREAS**, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

**WHEREAS**, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A.* 40:4-12; and

**WHEREAS**, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A.* 40:4-12:

\_\_\_\_\_A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon: \_\_\_\_\_);

\_\_\_\_\_A matter where the release of information would impair a right to receive funds from the federal government;

\_\_\_\_\_A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

\_\_\_\_\_A collective bargaining agreement, or the terms and conditions thereof (Specify contract: \_\_\_\_\_);

\_\_\_\_\_ A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed; Real Estate Acquisitions

\_\_\_\_\_ Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

\_\_\_\_\_ Investigations of violations or possible violations of the law;

  x   Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is: \_\_\_\_\_ Professional Service Contracts\_\_\_\_\_. The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

\_\_\_\_\_ Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: \_\_\_\_\_

\_\_\_\_\_ OR \_\_\_\_\_ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

\_\_\_\_\_ Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is: \_\_\_\_\_ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

\_\_\_\_\_ Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion.

**BE IT FURTHER RESOLVED** that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Hearing no further business, a motion made by Higgins, seconded by Torres to adjourn the meeting at 9:45p.m.

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Mayor Scott McDonald

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Kristine Blanchard, RMC Borough Clerk